

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Criminal No.  
14-4093-DHH

UNITED STATES OF AMERICA

v.

JOSH A. WAIRI

**MEMORANDUM AND ORDER OF DETENTION**

April 23, 2014

Hennessy, M.J.

Defendant is charged in a criminal complaint with Transportation of Child Pornography, in violation of 18 U.S.C. § 2252A(a). An initial appearance was held on April 17, 2014, the date of Defendant's arrest. At the initial appearance, the United States moved that Defendant be detained, pursuant to the Bail Reform Act. The Court appointed counsel for Defendant, and the case was continued to April 23, 2014 for a preliminary hearing under Fed. R. Crim. P. 5.1, and a detention hearing.

At the hearing on April 23, 2014, Defendant, through his counsel, waived his right to a preliminary hearing and further consented to the entry of an order of detention, without prejudice to seek release on conditions at a later date.

Accordingly, it is ORDERED that Defendant be DETAINED pending trial, and it is further ORDERED --

(1) That Defendant be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) That Defendant be afforded a reasonable opportunity for private consultation with counsel; and

(3) On order of a court of the United States or on request by an attorney for the government, the person in charge of the corrections facility in which Defendant is detained and confined deliver Defendant to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

This order is without prejudice to Defendant filing a motion at any time seeking a hearing to consider the issue of pre-trial detention, regardless whether there have been changed circumstances.

/ s / David H. Hennessy  
David H. Hennessy  
United States Magistrate Judge